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Attorneys for Plaintiffs
ROBERT & LORI BELTRAN
(by G.A.L.) COBY BELTRAN

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(San Jose Division)

E-FILED - 3/1/06

LORI BELTRAN, ROBERT BELTRAN,)	Case Number: CV 03-03767 RMW
LORI BELTRAN as Guardian ad Litem)	
For her minor child COBY BELTRAN)	Assigned Judge: Ronald M. Whyte
)	Dept. 6
)	
Plaintiffs,)	STIPULATION AND ORDER
vs.)	RE: COST ORDER
)	
)	
COUNTY OF SANTA CLARA, et al.)	
)	
Defendants.)	
)	

The parties hereto, by and through their respective counsel, do hereby agree and stipulate as follows, and request this court order same.

1. The order of the court awarding costs of \$7642 to defendants from plaintiffs, and made and filed 12/28/2005, is hereby stayed.

2. At such time as plaintiff's appeal on the Notice of Appeal filed 9/21/2005 to the 9th Circuit Court of Appeals is decided or withdrawn, the plaintiffs shall have 30 days from the expiration of any appeal periods related thereto within which to file and serve any Motion to Tax

Costs or other pleading disputing the amounts or validity of costs sought by defendants in this matter in their Bill of Costs filed 9/12/05. If plaintiffs fail to file and serve a Motion to Tax Costs or or other pleading disputing the amounts or validity of costs sought by defendants in this matter in their Bill of Costs filed 9/12/05, the Bill of Costs filed 9/12/05 is no longer stayed, and may be enforced by the County in any manner County deems necessary.

3. This order does not in any manner prohibit plaintiffs or defendants from any efforts to seek initial costs, and/or further or additional costs, as such costs may be related to the plaintiffs appeal to the 9th Circuit Court of Appeal.

IT IS SO STIPULATED.

Dated: 2/1/06

_____/S/_____
Melissa Kiniyalocts – Attorney for Defendants

Dated: 2/1/06

_____/S/_____
Robert R. Powell – Attorney for Plaintiffs

ORDER

Based on the foregoing stipulation of the parties, and good cause appearing therefore, the court hereby adopts the stipulation of the parties as an order of this court.

IT IS SO ORDERED.

Dated: 2/ 24 /06

_____/s/ Ronald M. Whyte
JUDGE RONALD M. WHYTE
U.S. DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA